

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1320, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 2 "SECTION 1. IC 6-1.1-18-12, AS ADDED BY P.L.1-2004,
- 3 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 DECEMBER 12, 2003 (RETROACTIVE)]: Sec. 12. (a) For purposes
- 5 of this section, "maximum rate" refers to the maximum:
- 6 (1) property tax rate or rates; or
- 7 (2) special benefits tax rate or rates;
- 8 referred to in the statutes listed in subsection (d).
- 9 (b) The maximum rate for taxes first due and payable after 2003 is
- 10 the maximum rate that would have been determined under subsection
- 11 (e) for taxes first due and payable in 2003 if subsection (e) had applied
- 12 for taxes first due and payable in 2003.
- 13 (c) The maximum rate must be adjusted:
- 14 (1) each time an annual adjustment of the assessed value of real
- 15 property takes effect under IC 6-1.1-4-4.5; and
- 16 (2) each time a general reassessment of real property takes effect
- 17 under IC 6-1.1-4-4.
- 18 (d) The statutes to which subsection (a) refers are:
- 19 (1) IC 8-10-5-17;
- 20 (2) IC 8-22-3-11;

- 1 (3) IC 8-22-3-25;
- 2 (4) IC 12-29-1-1;
- 3 (5) IC 12-29-1-2;
- 4 (6) IC 12-29-1-3;
- 5 ~~(7) IC 12-29-2-13;~~
- 6 ~~(8)~~ (7) IC 12-29-3-6;
- 7 ~~(9)~~ (8) IC 13-21-3-12;
- 8 ~~(10)~~ (9) IC 13-21-3-15;
- 9 ~~(11)~~ (10) IC 14-27-6-30;
- 10 ~~(12)~~ (11) IC 14-33-7-3;
- 11 ~~(13)~~ (12) IC 14-33-21-5;
- 12 ~~(14)~~ (13) IC 15-1-6-2;
- 13 ~~(15)~~ (14) IC 15-1-8-1;
- 14 ~~(16)~~ (15) IC 15-1-8-2;
- 15 ~~(17)~~ (16) IC 16-20-2-18;
- 16 ~~(18)~~ (17) IC 16-20-4-27;
- 17 ~~(19)~~ (18) IC 16-20-7-2;
- 18 ~~(20)~~ (19) IC 16-23-1-29;
- 19 ~~(21)~~ (20) IC 16-23-3-6;
- 20 ~~(22)~~ (21) IC 16-23-4-2;
- 21 ~~(23)~~ (22) IC 16-23-5-6;
- 22 ~~(24)~~ (23) IC 16-23-7-2;
- 23 ~~(25)~~ (24) IC 16-23-8-2;
- 24 ~~(26)~~ (25) IC 16-23-9-2;
- 25 ~~(27)~~ (26) IC 16-41-15-5;
- 26 ~~(28)~~ (27) IC 16-41-33-4;
- 27 ~~(29)~~ (28) IC 20-5-17.5-2;
- 28 ~~(30)~~ (29) IC 20-5-17.5-3;
- 29 ~~(31)~~ (30) IC 20-5-37-4;
- 30 ~~(32)~~ (31) IC 20-14-7-5.1;
- 31 ~~(33)~~ (32) IC 20-14-7-6;
- 32 ~~(34)~~ (33) IC 20-14-13-12;
- 33 ~~(35)~~ (34) IC 21-1-11-3;
- 34 ~~(36)~~ (35) IC 21-2-17-2;
- 35 ~~(37)~~ (36) IC 23-13-17-1;

- 1 ~~(38)~~ (37) IC 23-14-66-2;
 2 ~~(39)~~ (38) IC 23-14-67-3;
 3 ~~(40)~~ (39) IC 36-7-13-4;
 4 ~~(41)~~ (40) IC 36-7-14-28;
 5 ~~(42)~~ (41) IC 36-7-15.1-16;
 6 ~~(43)~~ (42) IC 36-8-19-8.5;
 7 ~~(44)~~ (43) IC 36-9-6.1-2;
 8 ~~(45)~~ (44) IC 36-9-17.5-4;
 9 ~~(46)~~ (45) IC 36-9-27-73;
 10 ~~(47)~~ (46) IC 36-9-29-31;
 11 ~~(48)~~ (47) IC 36-9-29.1-15;
 12 ~~(49)~~ (48) IC 36-10-6-2;
 13 ~~(50)~~ (49) IC 36-10-7-7;
 14 ~~(51)~~ (50) IC 36-10-7-8;
 15 ~~(52)~~ (51) IC 36-10-7.5-19; and
 16 ~~(53)~~ (52) any statute enacted after December 31, 2003, that:
 17 (A) establishes a maximum rate for any part of the:
 18 (i) property taxes; or
 19 (ii) special benefits taxes;
 20 imposed by a political subdivision; and
 21 (B) does not exempt the maximum rate from the adjustment
 22 under this section.
 23 (e) The new maximum rate under a statute listed in subsection (d)
 24 is the tax rate determined under STEP SEVEN of the following STEPS:
 25 STEP ONE: Determine the maximum rate for the political
 26 subdivision levying a property tax or special benefits tax under the
 27 statute for the year preceding the year in which the annual
 28 adjustment or general reassessment takes effect.
 29 STEP TWO: Determine the actual percentage increase (rounded
 30 to the nearest one-hundredth percent (0.01%)) in the assessed
 31 value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the
 32 taxable property from the year preceding the year the annual
 33 adjustment or general reassessment takes effect to the year that
 34 the annual adjustment or general reassessment takes effect.
 35 STEP THREE: Determine the three (3) calendar years that
 36 immediately precede the ensuing calendar year and in which a

statewide general reassessment of real property does not first take effect.

STEP FOUR: Compute separately, for each of the calendar years determined in STEP THREE, the actual percentage increase (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Determine the greater of the following:

(A) Zero (0).

(B) The result of the STEP TWO percentage minus the STEP FIVE percentage.

STEP SEVEN: Determine the quotient of the STEP ONE tax rate divided by the sum of one (1) plus the STEP SIX percentage increase.

(f) The department of local government finance shall compute the maximum rate allowed under subsection (e) and provide the rate to each political subdivision with authority to levy a tax under a statute listed in subsection (d).

SECTION 2. IC 6-1.1-18.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

10. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed by a civil taxing unit to be used to fund:

(1) community mental health centers under ~~IC 12-29-2-1~~ **IC 12-29-2-2** through ~~IC 12-29-2-6~~; **IC 12-29-2-5**; or

(2) community mental retardation and other developmental disabilities centers under IC 12-29-1-1;

to the extent that those property taxes are attributable to any increase in the assessed value of the civil taxing unit's taxable property caused by a general reassessment of real property that took effect after February 28, 1979.

(b) For purposes of computing the ad valorem property tax levy limits imposed on a civil taxing unit by section 3 of this chapter, the civil taxing unit's ad valorem property tax levy for a particular calendar year does not include that part of the levy described in subsection (a).

SECTION 3. IC 12-29-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

1. (a) The county executive of a county may authorize the furnishing of financial assistance to ~~the following:~~

~~(1) A community mental health center that is located or will be located in the county.~~

~~(2) a community mental retardation and other developmental disabilities center that is located or will be located in the county.~~

(b) Assistance authorized under this section shall be used for the following purposes:

(1) Constructing a center.

(2) Operating a center.

(c) Upon request of the county executive, the county fiscal body may appropriate annually from the county's general fund the money to provide financial assistance for the purposes described in subsection (b). The appropriation may not exceed the amount that could be collected from an annual tax levy of not more than three and thirty-three hundredths cents (\$0.0333) on each one hundred dollars (\$100) of taxable property within the county.

SECTION 4. IC 12-29-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

2. (a) If ~~a community mental health center~~ or a community mental retardation and other developmental disabilities center is organized to provide services to at least two (2) counties, the county executive of each county may authorize the furnishing of financial assistance for the purposes described in section 1(b) of this chapter.

(b) Upon the request of the county executive of the county, the county fiscal body of each county may appropriate annually from the county's general fund the money to provide financial assistance for the purposes described in section 1(b) of this chapter. The appropriation of each county may not exceed the amount that could be collected from an annual tax levy of three and thirty-three hundredths cents (\$0.0333) on each one hundred dollars (\$100) of taxable property within the county.

SECTION 5. IC 12-29-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

3. (a) The county executive of each county whose residents may

1 receive services from ~~a community mental health center or a~~
 2 community mental retardation and other developmental disabilities
 3 center may authorize the furnishing of a share of financial assistance for
 4 the purposes described in section 1(b) of this chapter if the following
 5 conditions are met:

6 (1) The facilities for the center are located in a state adjacent to
 7 Indiana.

8 (2) The center is organized to provide services to Indiana
 9 residents.

10 (b) Upon the request of the county executive of a county, the county
 11 fiscal body of the county may appropriate annually from the county's
 12 general fund the money to provide financial assistance for the purposes
 13 described in section 1(b) of this chapter. The appropriations of the
 14 county may not exceed the amount that could be collected from an
 15 annual tax levy of three and thirty-three hundredths cents (\$0.0333) on
 16 each one hundred dollars (\$100) of taxable property within the county.

17 SECTION 6. IC 12-29-1-4 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

19 4. (a) Bonds of a county may be issued for the construction and
 20 equipment or the improvement of a building to house ~~the following:~~

21 ~~(1) A community mental health center.~~

22 ~~(2)~~ a community mental retardation and other developmental
 23 disabilities center.

24 (b) If services are provided to at least two (2) counties:

25 (1) bonds of the counties involved may be issued to pay the
 26 proportionate cost of the project in the proportion determined and
 27 agreed upon by the fiscal bodies of the counties involved; or

28 (2) bonds of one (1) county may be issued and the remaining
 29 counties may annually appropriate to the county issuing the bonds
 30 amounts to be applied to the payment of the bonds and interest on
 31 the bonds in the proportion agreed upon by the county fiscal
 32 bodies of the counties involved.

33 SECTION 7. IC 12-29-1-7, AS AMENDED BY P.L.215-2001,
 34 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JANUARY 1, 2004 (RETROACTIVE)]: Sec. 7. (a) On the first Monday
 36 in October, the county auditor shall certify to:

37 ~~(1) the division of mental health and addiction; for a community~~

1 ~~mental health center;~~

2 ~~(2)~~ (1) the division of disability, aging, and rehabilitative services,
3 for a community mental retardation and other developmental
4 disabilities center; and

5 ~~(3)~~ (2) the president of the board of directors of each center;

6 the amount of money that will be provided to the center under this
7 chapter.

8 (b) The county payment to the center shall be paid by the county
9 treasurer to the treasurer of each center's board of directors in the
10 following manner:

11 (1) One-half (1/2) of the county payment to the center shall be
12 made on the second Monday in July.

13 (2) One-half (1/2) of the county payment to the center shall be
14 made on the second Monday in December.

15 ~~A county making a payment under this subsection or from other county~~
16 ~~sources to a community mental health center that qualifies as a~~
17 ~~community mental health center disproportionate share provider under~~
18 ~~IC 12-15-16-1 shall certify that the payment represents expenditures~~
19 ~~eligible for financial participation under 42 U.S.C. 1396b(w)(6)(A) and~~
20 ~~42 CFR 433.51. The office shall assist a county in making this~~
21 ~~certification.~~

22 (c) Payments by the county fiscal body

23 ~~(1) must be in the amounts:~~

24 ~~(A) determined by IC 12-29-2-1 through IC 12-29-2-6; and~~

25 ~~(B) authorized by section 1 of this chapter; and~~

26 ~~(2) are in place of grants from agencies supported within the~~
27 ~~county solely by county tax money.~~

28 SECTION 8. IC 12-29-2-1.2 IS ADDED TO THE INDIANA CODE
29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
30 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 1.2. (a) The county**
31 **executive of a county may authorize the furnishing of financial**
32 **assistance for the purposes described in subsection (b) to a**
33 **community mental health center that is located or will be located:**

34 (1) in the county;

35 (2) anywhere in Indiana, if the community mental health
36 center is organized to provide services to at least two (2)
37 counties, including the county executive's county; or

(3) in an adjacent state, if the center is organized to provide services to Indiana residents, including residents in the county executive's county.

If a community mental health center is organized to serve more than one (1) county, upon request of the county executive, each county fiscal body may appropriate money annually from the county's general fund to provide financial assistance for the community mental health center.

(b) Assistance authorized under this section shall be used for the following purposes:

(1) Constructing a community mental health center.

(2) Operating a community mental health center.

(c) The appropriation from a county authorized under subsection (a) may not exceed the following:

(1) For 2004, the product of the amount determined under section 2(b)(1) of this chapter multiplied by two and five hundred four thousandths (2.504).

(2) For 2005 and each year thereafter, the product of the amount determined under section 2(b)(2) of this chapter for that year multiplied by two and five hundred four thousandths (2.504).

SECTION 9. IC 12-29-2-2, AS AMENDED BY P.L.1-2004, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec. 2. (a) ~~Subject to subsections (b), (c), and (d),~~ A county shall fund the operation of community mental health centers in ~~an~~ the amount ~~not less than the amount that would be raised by an annual tax rate of one and thirty-three hundredths cents (\$0.0133) on each one hundred dollars (\$100) of taxable property within the county;~~ determined under subsection (b), unless a lower tax ~~rate~~ ~~levy amount~~ will be adequate to fulfill the county's financial obligations under this chapter in any of the following situations:

(1) If the total population of the county is served by one (1) center.

(2) If the total population of the county is served by more than one (1) center.

(3) If the partial population of the county is served by one (1) center.

(4) If the partial population of the county is served by more than one (1) center.

(b) This subsection applies only to a property tax that is imposed in a county containing a consolidated city. The tax rate permitted under subsection (a) for taxes first due and payable after 1995 is the tax rate permitted under subsection (a) as adjusted under this subsection. For each year in which an annual adjustment of the assessed value of real property will take effect under IC 6-1.1-4-4.5 or a general reassessment of property will take effect, the department of local government finance shall compute the maximum rate permitted under subsection (a) as follows:

STEP ONE: Determine the maximum rate for the year preceding the year in which the annual adjustment or general reassessment takes effect.

STEP TWO: Determine the actual percentage increase (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the year preceding the year the annual adjustment or general reassessment takes effect to the year that the annual adjustment or general reassessment is effective.

STEP THREE: Determine the three (3) calendar years that immediately precede the ensuing calendar year and in which a statewide general reassessment of real property does not first become effective.

STEP FOUR: Compute separately, for each of the calendar years determined in STEP THREE, the actual percentage increase (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Determine the greater of the following:

(A) Zero (0).

(B) The result of the STEP TWO percentage minus the STEP FIVE percentage.

1 STEP SEVEN: Determine the quotient of:

2 (A) the STEP ONE tax rate; divided by

3 (B) one (1) plus the STEP SIX percentage increase:

4 This maximum rate is the maximum rate under this section until a new
5 maximum rate is computed under this subsection for the next year in
6 which an annual adjustment under IC 6-1.1-4-4.5 or a general
7 reassessment of property will take effect:

8 (c) With respect to a county to which subsection (b) does not apply;
9 The maximum tax rate permitted under subsection (a) for taxes first
10 due and payable in a calendar year 2004 and calendar year 2005 is the
11 maximum tax rate that would have been determined under subsection
12 (d) for taxes first due and payable in 2003 if subsection (d) had applied
13 to the county for taxes first due and payable in 2003:

14 (d) This subsection applies only to a county to which subsection (b)
15 does not apply. The tax rate permitted under subsection (a) for taxes
16 first due and payable after calendar year 2005 is the tax rate permitted
17 under subsection (c) as adjusted under this subsection. For each year
18 in which an annual adjustment of the assessed value of real property
19 will take effect under IC 6-1.1-4-4.5 or a general reassessment of
20 property will take effect, the department of local government finance
21 shall compute the maximum rate permitted under subsection (a) as
22 follows:

23 STEP ONE: Determine the maximum rate for the year preceding
24 the year in which the annual adjustment or general reassessment
25 takes effect:

26 STEP TWO: Determine the actual percentage increase (rounded
27 to the nearest one-hundredth percent (0.01%)) in the assessed
28 value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the
29 taxable property from the year preceding the year the annual
30 adjustment or general reassessment takes effect to the year that
31 the annual adjustment or general reassessment is effective:

32 STEP THREE: Determine the three (3) calendar years that
33 immediately precede the ensuing calendar year and in which a
34 statewide general reassessment of real property does not first
35 become effective:

36 STEP FOUR: Compute separately, for each of the calendar years
37 determined under STEP THREE, the actual percentage increase

(rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed under STEP FOUR by three (3):

STEP SIX: Determine the greater of the following:

(A) Zero (0):

(B) The result of the STEP TWO percentage minus the STEP FIVE percentage.

STEP SEVEN: Determine the quotient of:

(A) the STEP ONE tax rate; divided by

(B) one (1) plus the STEP SIX percentage increase.

This maximum rate is the maximum rate under this section until a new maximum rate is computed under this subsection for the next year in which an annual adjustment under IC 6-1.1-4-4.5 or a general reassessment of property will take effect.

(b) The amount of funding under subsection (a) for taxes first due and payable in a calendar year is the following:

(1) For 2004, the amount is the amount determined under STEP THREE of the following formula:

STEP ONE: Determine the amount that was levied within the county to comply with this section from property taxes first due and payable in 2002.

STEP TWO: Multiply the STEP ONE result by the county's assessed value growth quotient for the ensuing year 2003, as determined under IC 6-1.1-18.5-2.

STEP THREE: Multiply the STEP TWO result by the county's assessed value growth quotient for the ensuing year 2004, as determined under IC 6-1.1-18.5-2.

(2) For 2005 and each year thereafter, the result equal to:

(A) the amount that was levied in the county to comply with this section from property taxes first due and payable in the calendar year immediately preceding the ensuing calendar year; multiplied by

(B) the county's assessed value growth quotient for the ensuing calendar year, as determined under

1 **IC 6-1.1-18.5-2.**

2 SECTION 10. IC 12-29-2-13, AS AMENDED BY P.L.215-2001,
3 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2004 (RETROACTIVE)]: Sec. 13. (a) This section
5 applies to ~~a Lake County. having a population of not less than four~~
6 ~~hundred thousand (400,000) but not more than seven hundred thousand~~
7 ~~(700,000).~~

8 (b) In addition to any other appropriation under this article, ~~a the~~
9 county annually may fund each center serving the county from the
10 county's general fund in an amount not exceeding ~~the amount that~~
11 ~~would be raised by a tax rate of one cent (\$0.01) on each one hundred~~
12 ~~dollars (\$100) of taxable property within the county the following:~~

13 **(1) For 2004, the product of the amount determined under**
14 **section 2(b)(1) of this chapter multiplied by seven hundred**
15 **fifty-two thousandths (0.752).**

16 **(2) For 2005 and each year thereafter, the product of the**
17 **amount determined under section 2(b)(2) of this chapter for**
18 **that year multiplied by seven hundred fifty-two thousandths**
19 **(0.752).**

20 (c) The receipts from the tax levied under this section shall be used
21 for the leasing, purchasing, constructing, or operating of community
22 residential facilities for the chronically mentally ill (as defined in
23 IC 12-7-2-167).

24 (d) Money appropriated under this section must be:

25 (1) budgeted under IC 6-1.1-17; and

26 (2) included in the center's budget submitted to the division of
27 mental health and addiction.

28 (e) Permission for a levy increase in excess of the levy limitations
29 may be ordered under IC 6-1.1-18.5-15 only if the levy increase is
30 approved by the division of mental health and addiction for a
31 community mental health center.

32 SECTION 11. IC 12-29-2-17 IS ADDED TO THE INDIANACODE
33 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
34 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 17. (a) Bonds of a county**
35 **may be issued for the construction and equipment or the**
36 **improvement of a building to house a community mental health**

center.

(b) If services are provided to at least two (2) counties:

(1) bonds of the counties involved may be issued to pay the proportionate cost of the project in the proportion determined and agreed upon by the fiscal bodies of the counties involved; or

(2) bonds of one (1) county may be issued and the remaining counties may annually appropriate to the county issuing the bonds amounts to be applied to the payment of the bonds and interest on the bonds in the proportion agreed upon by the county fiscal bodies of the counties involved.

SECTION 12. IC 12-29-2-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 18. All general Indiana statutes relating to the following apply to the issuance of county bonds under this chapter:**

(1) The filing of a petition requesting the issuance of bonds.

(2) The giving of notice of the following:

(A) The filing of the petition requesting the issuance of the bonds.

(B) The determination to issue bonds.

(C) A hearing on the appropriation of the proceeds of the bonds.

(3) The right of taxpayers to appear and be heard on the proposed appropriation.

(4) The approval of the appropriation by the department of local government finance.

(5) The right of taxpayers to remonstrate against the issuance of bonds.

SECTION 13. IC 12-29-2-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 19. If bonds are issued under this chapter:**

(1) the building that is constructed, equipped, or improved with proceeds of the bonds is:

- 1 (A) the property of the county issuing the bonds; or
- 2 (B) the joint property of the counties involved if the bonds
- 3 are issued by at least two (2) counties; and
- 4 (2) the tax limitations in this chapter do not apply to the levy
- 5 of taxes to pay the bonds and the interest on the bonds.

6 SECTION 14. IC 12-29-2-20 IS ADDED TO THE INDIANA CODE
 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 8 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 20. (a) On the first**
 9 **Monday in October, the county auditor shall certify to:**

- 10 (1) the division of mental health and addiction, for a
- 11 community mental health center; and
- 12 (2) the president of the board of directors of each community
- 13 mental health center;

14 the amount of money that will be provided to the community
 15 mental health center under this chapter.

16 (b) The county payment to the community mental health center
 17 shall be paid by the county treasurer to the treasurer of each
 18 community mental health center's board of directors in the
 19 following manner:

20 (1) One-half (1/2) of the county payment to the community
 21 mental health center shall be made on the second Monday in
 22 July.

23 (2) One-half (1/2) of the county payment to the community
 24 mental health center shall be made on the second Monday in
 25 December.

26 (c) A county making a payment under this section or from
 27 other county sources to a community mental health center that
 28 qualifies as a community mental health center disproportionate
 29 share provider under IC 12-15-16-1 shall certify that the payment
 30 represents expenditures eligible for financial participation under
 31 42 U.S.C. 1396b(w)(6)(A) and 42 CFR 433.51. The office shall
 32 assist a county in making this certification.

33 (d) Payments by the county fiscal body:

34 (1) must be in the amounts:

35 (A) determined by sections 2 through 5 of this chapter;

1 **and**

2 **(B) authorized by sections 1.2 and 13 of this chapter; and**
 3 **(2) are in place of grants from agencies supported within the**
 4 **county solely by county tax money.**

5 SECTION 15. IC 12-29-2-6 IS REPEALED [EFFECTIVE
 6 JANUARY 1, 2004 (RETROACTIVE)].

7 SECTION 16. [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]

8 **(a) IC 12-29-1 and IC 12-29-2, both as amended by this act, apply**
 9 **to property taxes first due and payable after December 31, 2003.**

10 **(b) If the department of local government finance determines**
 11 **that compliance with this act would cause an unreasonable delay**
 12 **in the certification of budgets, tax rates, and tax levies in a**
 13 **county, the department of local government finance may certify**
 14 **budgets, tax rates, and tax levies for the county under**
 15 **IC 6-1.1-18-12, IC 12-29-1, and IC 12-29-2 as if this act had not**
 16 **been passed. However, if the department of local government**
 17 **finance takes this action, the affected county and the department**
 18 **of local government finance shall provide for an additional**
 19 **shortfall property tax levy and an additional budgeted amount in**
 20 **2005 to replace the revenue lost in 2004 to community mental**
 21 **health centers as a result of certifying budgets, tax rates, and tax**
 22 **levies for the county under IC 6-1.1-18-12, IC 12-29-1, and**
 23 **IC 12-29-2 as if this act had not been passed.**

24 **(c) The amount of the shortfall levy under subsection (b) shall**
 25 **be treated as an addition to the amount allowed in 2005 under**
 26 **IC 12-29-2, as amended by this act. The ad valorem property tax**
 27 **levy limits imposed by IC 12-29-2, as amended by this act, do not**
 28 **apply to ad valorem property taxes imposed under subsection (b).**
 29 **The shortfall levy imposed under this SECTION may not be**
 30 **considered in computing ad valorem property tax levies under**
 31 **IC 12-29-2, as amended by this act, for property taxes first due**
 32 **and payable after 2005."**

33 Delete pages 2 through 14.

34 Page 15, line 35, after "(c)" insert "**The office of the secretary of**
 35 **family and social services shall cooperate with the select joint**

1 **commission on Medicaid oversight and provide the commission**
2 **with information and data necessary for the commission to carry**
3 **out this SECTION.**

4 **(d)".**

5 Renumber all SECTIONS consecutively.

(Reference is to HB 1320 as reprinted February 3, 2004.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

Miller

Chairperson